IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 16573 of 2006

Date of Decision: 19.10.2006

Ramesh Kumar

... Petitioner

Versus

State of Punjab and others.

.. Respondents

Coram : Hon'ble Mr. Justice J.S. Khehar,
Hon'ble Mr. Justice S.D. Anand.

Present : Ms. Satpreet G. Kapila, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

Consequent upon the holding of a regular departmental enquiry against the petitioner, the punishing authority passed an order dated 11.10.2005 (Annexure P/3) vide which the petitioner was compulsorily retired from service.

Dis-satisfied with the order dated 11.10.2005, the petitioner preferred a statutory appeal on 17.11.2005 (Annexure P/4). A perusal of the pleadings in the writ petition reveal, that the appellate authority has not yet taken a final decision on the appeal preferred by the petitioner. Learned counsel for the petitioner states that the petitioner will be satisfied if the appellate authority is required to take a final decision on the appeal.

Notice of motion.

On our asking, Mr. B. S. Chahal, Assistant Advocate General, Punjab, accepts notice on behalf of respondent Nos. 1 to 4. Learned counsel

for the respondents states that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate, to dispose of the instant writ petition, with a direction to the appellate authority, to take a final decision on the appeal filed by the petitioner on 17.11.2005 (Annexure P/4) by passing a well reasoned speaking order, within two weeks from the date of receipt of certified copy of this order.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge

October 19, 2006 (S.D. Anand)
vkd Judge